

LIONEL Z. GLANCY (#134180)
ROBERT V. PRONGAY (#270796)
EX KANO S. SAMS II (#192936)
GLANCY PRONGAY & MURRAY LLP
1925 Century Park East, Suite 2100
Los Angeles, California 90067
Telephone: (310) 201-9150
Facsimile: (310) 201-9160
Email: *lglancy@glancylaw.com*
rprongay@glancylaw.com
esams@glancylaw.com

Michael W. Stocker (#179083)
Jonathan Gardner (admitted *pro hac vice*)
LABATON SUCHAROW LLP
140 Broadway
New York, New York 10005
Telephone: (212) 907-0700
Facsimile: (212) 818-0477

Attorneys for Lead Plaintiffs

[Additional Counsel on Signature Page]

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

IN RE FIREEYE, INC. SECURITIES
LITIGATION

MASTER FILE NO: 5:14-CV-05204 (EJD)

CLASS ACTION

**STIPULATION AND [PROPOSED]
ORDER REGARDING DISMISSAL
OF ACTION**

1 WHEREAS, on November 14, 2016, the Court issued an Order Granting Defendants' Motion
2 to Dismiss and Denying Plaintiffs' Motion to Strike as Moot ("Order");

3 WHEREAS, within the Order, the Court provided Lead Plaintiffs State-Boston Retirement
4 System and Vijay Fadia ("Plaintiffs") 15 days to file an amended complaint;

5 WHEREAS, based upon the information presently available to Plaintiffs through their
6 investigation, Plaintiffs have elected not to file an amended complaint and not to pursue an appeal
7 related to the Court's Order;

8 WHEREAS, Plaintiffs and Defendants FireEye, Inc., David DeWalt, Kevin Mandia, and
9 Michael Sheridan ("Defendants") (collectively the "Parties") agree that no award of attorneys' fees or
10 costs shall be made to either of the Parties, and that no costs, sanctions, claims, or attorneys' fees
11 arising in or from this action will be pursued by either of the Parties; and

12 WHEREAS, the Parties agree that, at all times relevant to this action, the Parties and their
13 counsel complied with Rule 11 of the Federal Rules of Civil Procedure and all other rules and laws in
14 connection with this action.

15 NOW THEREFORE, THE PARTIES HAVE STIPULATED THAT, subject to these terms,
16 and the approval of the Court:

17 1. Plaintiffs' action, which was not certified as a class action, shall be dismissed with
18 prejudice with respect to Plaintiffs' claims;

19 2. The Parties shall bear their own fees and costs; and

20 3. No costs, sanctions, claims, or attorneys' fees arising in or from this action will be
21 pursued by either of the Parties.

1 Dated: November 30, 2016

GLANCY PRONGAY & MURRAY LLP

2
3 By: s/ Ex Kano S. Sams II

Lionel Z. Glancy

4 Robert V. Prongay

Ex Kano S. Sams II

5 1925 Century Park East, Suite 2100

Los Angeles, CA 90067

6 Telephone: (310) 201-9150

7 Facsimile: (310) 201-9160

8 LABATON SUCHAROW LLP

Michael W. Stocker (#179083)

9 Jonathan Gardner (admitted *pro hac vice*)

10 140 Broadway

New York, New York 10005

11 Telephone: (212) 907-0700

12 Facsimile: (212) 818-0477

13 *Attorneys for Lead Plaintiffs Vijay Fadia*
14 *& State-Boston Retirement System*

15 Dated: November 30, 2016

WILSON SONSINI GOODRICH & ROSATI

16 By: s/ Boris Feldman

17 Boris Feldman (#128838)

18 Ignacio E. Salceda (#164017)

650 Page Mill Road

19 Palo Alto, CA 94304-1050

20 Telephone: (650) 493-9300

Facsimile: (650) 565-5100

21 *Attorneys for Defendants FireEye, Inc.,*
22 *David G. DeWalt, Michael J. Sheridan, Ashar*
23 *Aziz, & Kevin Mandia*
24
25
26
27
28

* * *

[PROPOSED] ORDER

PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

Dated: _____, 2016

The Honorable Edward J. Davila
United States District Judge

PROOF OF SERVICE BY ELECTRONIC POSTING

I, the undersigned say:

I am not a party to the above case, and am over eighteen years old. On November 30, 2016, I served true and correct copies of the foregoing document, by posting the document electronically to the ECF website of the United States District Court for the Northern District of California, for receipt electronically by the parties listed on the Court's Service List.

I affirm under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 30th day of November, 2016, at Los Angeles, California.

s/ Ex Kano S. Sams II

Ex Kano S. Sams II

Mailing Information for a Case 5:14-cv-05204-EJD "In re FireEye, Inc. Securities Litigation"**Electronic Mail Notice List**

The following are those who are currently on the list to receive e-mail notices for this case.

- **Boris Feldman**
boris.feldman@wsgr.com
- **Jonathan Gardner**
jgardner@labaton.com, cvillegas@labaton.com, lmehring@labaton.com, acoquin@labaton.com, fmalonzo@labaton.com, acarpio@labaton.com, agreenbaum@labaton.com
- **Doru Gavril**
dgavril@wsgr.com
- **John T Jasnoch**
jjasnoch@scott-scott.com, rmcgraw@scott-scott.com, efile@scott-scott.com
- **Nicole Catherine Lavallee**
nlavallee@bermandevalerio.com, ysoboleva@bermandevalerio.com
- **Marisa C. Livesay**
livesay@whafh.com, boyles@whafh.com
- **Angelina Nguyen**
anguyen@labaton.com
- **Robert Vincent Prongay**
rprongay@glancylaw.com, info@glancylaw.com, echang@glancylaw.com, bmurray@glancylaw.com
- **Rachele R. Rickert**
rickert@whafh.com, tuazon@whafh.com, cabrera@whafh.com, boyles@whafh.com, loritsch@whafh.com
- **Laurence M. Rosen**
lrosen@rosenlegal.com, larry.rosen@earthlink.net
- **Ignacio Evaristo Salceda**
isalceda@wsgr.com, rlustan@wsgr.com, pmarquez@wsgr.com
- **Ex Kano S. Sams , II**
esams@glancylaw.com
- **Shimon Yiftach**
shimon@yiftachlaw.com

Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)